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David A. Phillips (and AFIO) Win Retraction in Challenge-Aided Suit

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David Atlee Phillips, founder of AFIO, has won a full retraction and financial award in the out-of-court settlement of his malicious libel suit against a group which claimed publicly that Phillips had been involved in the 1976 assassination of former Chilean diplomat Orlando Letelier, and had used the alias of "Maurice Bishop," the alleged CIA case officer for Lee Harvey Oswald. In winning the case, Phillips was afforded financial assistance by Challenge Inc., an intelligence officer's legal action fund based in Bethesda, Md.

The suit had its origins in a press conference given by Donald Freed, Fred Simon Landis, William F. Pepper and John Cummings on June 25, 1980, in Washington. The invited media audience was told that Phillips had headed a conspiracy to cover up the facts concerning the assassination of Letelier, and that Phillips and other ex-intelligence officers were accused of a number of crimes. It was stated further that the Association of Former Intelligence Officers (AFIO), a non-profit organization of ex-intelligence men and women from all intelligence services, was involved as an institution in the crimes attributed to Phillips! The allegations were made orally and in printed material distributed at the press conference.

In October 1980, *Death in Washington*, a non-fiction book co-authored by Freed and Landis, with an introduction by Pepper, repeated and elaborated on the charges against Phillips, other former intelligence officers and AFIO. Not content with the earlier charges, the authors claimed that *after* Phillips' retirement from CIA he had engaged in a few other crimes, to wit: obstruction of justice, accessory before the fact of murder, conspiracy to defame, and acting as an unregistered foreign agent. The authors captioned a photograph of Phillips with "The Other Lee Harvey Oswald."

In the retraction, Freed and Landis withdrew all the allegations they had made against Phillips, and assured that they had no intention of charging or suggesting that Phillips had played any role in the assassination of Letelier, that he was an accessory before or after fact of that murder, or that he had any connection with Lee Harvey Oswald. They told the court that they regret that any such statements had found their way into the press conference or into their book. Joining them in expression of regrets was Lawrence Hill & Co. Publishers, Inc., who has actually published the defamatory charges. As for the other charges made by the authors, Freed and Landis said that because of Phillips' long career with CIA and the secrecy requirements imposed by CIA (and enforced by the courts) it "made it difficult" for them to secure the necessary evidence for their defense against Phillips' counter-charges of malicious libel.

Missing from the retraction and settlement was co-defendant William F. Pepper, who disappeared some five years ago, and of whose whereabouts Freed and Landis claim no knowledge.